

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

**SECURITIES INVESTOR PROTECTION  
CORPORATION,**

Plaintiff-Applicant,

v.

**BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,**

Defendant.

Adv. Pro. No. 08-01789 (SMB)

**SIPA LIQUIDATION**

(Substantively Consolidated)

Adv. Pro. No. 10-04438 (CGM)

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In re:

**BERNARD L. MADOFF,**

Debtor.

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**IRVING H. PICARD, Trustee for the Substantively  
Consolidated SIPA Liquidation of Bernard L. Madoff  
Investment Securities LLC and Bernard L. Madoff,**

Plaintiff,

v.

**ESTATE OF SEYMOUR EPSTEIN,**

**MURIEL EPSTEIN, as beneficiary and of the Estate  
of Seymour Epstein and/or the Trusts created by the  
Last Will and Testament of Seymour Epstein, as  
Executor of the Estate of Seymour Epstein, and as  
trustee of Trusts created by the Last Will and  
Testament of Seymour Epstein,**

**HERBERT C. KANTOR, as trustee of Trusts created  
by the Last Will and Testament of Seymour Epstein,**

**RANDY EPSTEIN AUSTIN, as beneficiary of the  
Estate of Seymour Epstein and/or the Trusts created by  
the Last Will and Testament of Seymour Epstein,**

**ROBERT EPSTEIN, as beneficiary of the Estate of  
Seymour Epstein and/or the Trusts created by the Last  
Will and Testament of Seymour Epstein,**

JANE EPSTEIN, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein,

SUSAN EPSTEIN GROSS, as beneficiary of the Estate of Seymour Epstein and/or the Trusts created by the Last Will and Testament of Seymour Epstein, and

SHELBURNE SHIRT COMPANY, INC.,

Defendants.

**DECLARATION OF SEANNA R. BROWN IN FURTHER SUPPORT OF TRUSTEE'S MOTION FOR SUMMARY JUDGMENT**

I, Seanna R. Brown, declare the following:

1. I am a partner of the law firm of Baker & Hostetler LLP, counsel to Irving H. Picard, as trustee ("Trustee") for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–III, and the chapter 7 estate of Bernard L. Madoff. I submit this Declaration in further support of the Trustee's Motion for Summary Judgment.

2. Attached hereto as Exhibit 1 is a true and correct copy of the testimony of Bruce G. Dubinsky dated May 8, 2019 in *Picard v. Nelson*, Adv. Pro. Nos. 10-04658 (SMB), 10-04377 (SMB) (Bankr. S.D.N.Y. May 8, 2019).

3. Attached hereto as Exhibit 2 is a true and correct copy of an excerpt from the testimony of Frank DiPascali, Jr. dated December 4, 2013 during the multi-day criminal trial *United States v. Bonventre*, 10-CR-228 (LTS) (S.D.N.Y. Dec. 4, 2013), ECF No. 856.

Pursuant to 28 U.S.C. § 1746, I hereby declare under penalty of perjury that the foregoing statements are true and correct.

Dated: October 30, 2020

Respectfully submitted,

BAKER & HOSTETLER LLP

By: /s/ Seanna R. Brown  
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